

4. What special conditions, if any, in the room environment should the appraiser be aware of? What unusual student interactions/behaviors/interruptions, if any, should the appraiser be aware of?

5. What group and/or individual routines and procedures have been established?

6. What special techniques will you use of which the appraiser should be aware?

7. List any special behaviors and/or categories on which you would like the appraiser to focus.

The specialist and appraiser shall sign the Pre-Observation Form to indicate that it has been reviewed and discussed, not that the appraiser necessarily agrees with the Pre-Observation Form.

Date of Pre-Conference _____

Specialist's Signature _____

Appraiser's Signature _____

LESSON ANALYSIS

Teacher _____ Date of Observation _____
 Subject Area _____ Grade _____ Time _____
 No. of Students _____ Announced _____ Unannounced _____ Status _____
 School _____

Below is a summary of information from the lesson observation. The comments are designed to provide feedback to the teacher regarding strengths and areas for growth. Under each category, the appraiser shall write a concise narrative which focuses on the behaviors within that category.

DESCRIPTION OF LESSON:

I. INSTRUCTIONAL PLANNING
 NARRATIVE:

N/A (Not Applicable)

**II. ORGANIZATION AND MANAGEMENT OF CLASSROOM
NARRATIVE:**

**III. INSTRUCTIONAL STRATEGIES
NARRATIVE:**

**IV. TEACHER/STUDENT INTERACTION
NARRATIVE:**

**V. EVALUATION OF STUDENT PERFORMANCE
NARRATIVE:**

N/A (Not Applicable)

B-0404

108

COMMENDATIONS/RECOMMENDED AREAS FOR GROWTH/COMMENTS:

The teacher and appraiser shall sign the Lesson Analysis to indicate that it has been reviewed and discussed, and that the teacher necessarily agrees with the Lesson Analysis. Further, the teacher may submit additional information on a **TEACHER/SPECIALIST APPRAISAL RESPONSE FORM**, within fifteen (15) working days of the date the teacher's signature on this Lesson Analysis. Place an (x) in the box below to indicate your desire to submit additional information and to receive a Teacher/Specialist Appraisal Response Form. The Teacher/Specialist Appraisal Response Form shall be appended to this Lesson Analysis and shall become part of the appraisal record.

Teacher's Signature/Date

Appraiser's Signature/Date

☐

Additional information will be submitted by the teacher within fifteen (15) working days of the date of this Lesson Analysis. The Teacher/Specialist Appraisal Response Form.

B-0405


JOB ANALYSIS

Specialist _____ Observation Period _____

Specialist Area _____ Time _____

Announced _____ Unannounced _____ Status _____ School _____

Below is a summary of information from the observation and discussion. The comments are designed to provide feedback to the specialist regarding strengths and areas for growth. The appraiser shall write a concise narrative which focuses on the behaviors within that category.

DESCRIPTION OF RESPONSIBILITIES:
**I. PLANNING/PREPARATION
NARRATIVE:****N/A (Not Applicable)**

**II. ORGANIZATION AND MANAGEMENT
NARRATIVE:**

**III. STRATEGIES AND TECHNIQUES
NARRATIVE:**

**IV. SPECIALIST/STUDENT/STAFF INTERACTION
NARRATIVE:**

**V. MONITORING/EVALUATING PERFORMANCE
NARRATIVE:**

N/A (Not Applicable)

B-0408

112

COMMENDATIONS/RECOMMENDED AREAS FOR GROWTH/COMMENTS:

The specialist and appraiser shall sign the Job Analysis to indicate that it has been reviewed and discussed, not that the specialist necessarily agrees with the appraisal. Further, the specialist may submit additional information on a TEACHER/SPECIALIST APPRAISAL RESPONSE FORM, within fifteen (15) working days of the specialist's signature on this Job Analysis. Place an (x) in the box below to indicate your desire to submit additional information and to receive a Teacher/Specialist Appraisal Response Form. The Teacher/Specialist Appraisal Response Form shall be appended to this Job Analysis and shall become part of the appraisal record.

Specialist's Signature/Date

Appraiser's Signature/Date

☐ Additional information will be submitted by the specialist within fifteen (15) working days on a Teacher/Specialist Appraisal Response Form.

B-0409

SUPPLEMENT 4 SECTION B CRITERIA

The following categories of criteria shall be the basis upon which, as a minimum, the performance of teachers is appraised. Specific examples for each of the six (6) criterion are described below. The examples are not meant to be inclusive.

I. INSTRUCTIONAL PLANNING

- Provides appropriate instructional objectives.
- Provides methods and materials which maximize learning.
- Includes provisions for evaluating objectives.
- Provides scope and sequence for lesson.

II. ORGANIZATION AND MANAGEMENT OF CLASSROOM

- Arranges classroom for instructional effectiveness.
- Establishes, communicates and maintains standards for students.
- Uses instructional time efficiently.
- Maintains high engagement rate.
- Maintains a positive classroom atmosphere.
- Monitors the learning activities of students.

III. INSTRUCTIONAL STRATEGIES

- Uses and organizes appropriate methods and activities in their proper sequence and time frame, i.e. reviews, modeling, guided and independent practice, and closure.
- Demonstrates sufficient knowledge of subject matter being taught.
- Uses available instructional media and materials effectively.
- Establishes a mind set for learning.
- Focuses lesson on teaching objective.
- Uses level of instruction that is appropriate.
- Maintains pace of learning.
- Provides opportunities for student differences.
- Checks for student understanding.
- Conveys appropriately high expectations for students.

IV. TEACHER/STUDENT INTERACTION

- Promotes high rate of student interest.
- Provides prompt and specific feedback in a constructive manner.
- Provides opportunities for active participation.
- Uses questioning techniques effectively.
- Demonstrates fairness and consistency in dealing with students.
- Speaks and writes clearly, correctly, and at an appropriate level for student understanding.

V. EVALUATION OF STUDENT PERFORMANCE

- Uses appropriate formative and summative tools and techniques.
- Makes effective use of norm- and/or criterion-referenced test data.
- Provides prompt feedback and constructive comments on tests, homework and other assignments.
- Maintains accurate records documenting student performance.

VI. RELATED RESPONSIBILITIES

- Complies with policies, regulations and procedures of school district/building.
- Engages in professional development.
- Communicates effectively with parents.
- Works cooperatively with staff.
- Performs non-instructional responsibilities as assigned.

The following categories of criteria shall be the basis upon which, as a minimum, the performance of specialists is appraised. Specific examples for each of the six (6) criterion are described below. The examples are not meant to be inclusive.

I. PLANNING/PREPARATION

- Establishes appropriate goals and objectives.
- Establishes procedures and strategies to achieve goals and objectives.
- Makes provisions for evaluating attainment of goals and objectives.

II. ORGANIZATION AND MANAGEMENT

- Arranges work area effectively.
- Establishes and communicates rules and procedures to students and staff.
- Monitors compliance with established rules and procedures.
- Uses time efficiently.
- Maintains security of student records, assessment materials and equipment.

III. STRATEGIES AND TECHNIQUES

- Uses appropriate methods and activities effectively.
- Demonstrates sufficient knowledge of current practices in specialist area.
- Uses available equipment and materials effectively.
- Provides opportunities for student differences.
- Conveys appropriate expectations for students.
- Checks for student understanding.

IV. SPECIALIST/STUDENT/STAFF INTERACTION

- Creates a supportive environment.
- Demonstrates fairness and consistency in dealing with students and staff.
- Provides opportunities for the positive involvement of all students and staff.
- Provides prompt and specific feedback to students and staff in a constructive manner.
- Communicates clearly, correctly, and at an appropriate level for students and staff understanding.

V. MONITORING/EVALUATING PERFORMANCE

- Uses appropriate formative and summative tools and techniques.
- Makes effective use of tests and/or other data.
- Maintains accurate records.
- Uses data to adapt delivery of services.

VI. RELATED RESPONSIBILITIES

- Complies with policy regulations and procedures of school district/building.
- Engages in professional development.
- Communicates effectively with parents and community agencies.
- Works cooperatively with staff.
- Performs additional responsibilities as assigned.

**SUPPLEMENT 4
SECTION C
PERFORMANCE APPRAISAL**

The performance appraisal phase of the appraisal system is the evaluation component and completes the appraisal cycle. Its purpose is not only to provide feedback, but to rate the teacher/specialist's performance over the course of the appraisal cycle. Procedures for implementing the performance appraisal phase are as follows:

- ✓ 1. The content for the Performance Appraisal shall be based upon the Lesson/Job Analyses, as well as other data collected and previously shared in writing with the teacher/specialist during that time period.
2. To complete the Performance Appraisal, the appraiser shall rate the teacher/specialist's performance on a four point scale and write a narrative about overall performance in each of the six performance categories. A post conference shall be held to (1) provide feedback to the teacher/specialist and (2) for the appraiser and teacher/specialist to cooperatively set areas for growth. The post conference shall be held no earlier than one (1) working day and no later than fifteen (15) working days following submission of the Performance Appraisal to the teacher/specialist.
 - A. Complete the identification information at the top of the form.
 - B. Based on the behaviors listed, a concise but precise narrative summary documenting the teacher/specialist's performance for each of the six performance categories shall be written. The narrative shall summarize the teacher/specialist's performance in each category and shall explain the rating. The information from the Lesson/Job Analyses shall be used to document the appraiser's decision in each category.
 - C. Should an individual's performance be rated as Needs Improvement or Unsatisfactory in any category, the appraiser and teacher/specialist shall mutually develop an Individual Improvement Plan.
 - D. If, in the judgement of the appraiser, an individual's overall performance is unsatisfactory, the appraiser shall indicate such at the end of the form above the signature line on the Performance Appraisal, by typing "PERFORMANCE IS UNSATISFACTORY" and initialing the statement.
 - E. The teacher/specialist shall be given a copy of the Performance Appraisal at least one (1) working day prior to the conference.
3. The ratings for the performance appraisal phase are:

EXEMPLARY: Performance in a category indicates that the teacher/specialist could serve as a model for other teachers/specialists.

EFFECTIVE: Performance in a category consistently meets district expectations.

NEEDS IMPROVEMENT: Performance in a category is not consistently effective.

UNSATISFACTORY: Performance in a category is not effective and jeopardizes continued employment.

4. A conference shall be held to provide feedback to the teacher/specialist and for the appraiser and teacher/specialist to cooperatively set areas for growth. If the recommended areas for growth cannot be cooperatively set, the appraiser shall have the authority and responsibility to determine the recommended areas for growth. The conference shall be held no earlier than one (1) working day and no later than fifteen (15) working days following submission of the Performance Appraisal to the teacher/specialist.
5. An Individual Improvement Plan shall be developed when an individual's performance in any category has been appraised as Needs Improvement or Unsatisfactory on a Performance Appraisal or if a Lesson/Job Analysis is identified with the statement "Performance is Unsatisfactory". Development of an Individual Improvement Plan for a tenured teacher/specialist as a result of a Performance Appraisal indicates that a minimum of two (2) Lesson/Job Analyses and a Performance Appraisal shall be completed the following year.
 - A. The plan shall contain: (1) recommended areas or objectives for growth, (2) activities and/or methods to accomplish the objectives, (3) resources, human and/or material to be used, (4) appropriate timelines, and (5) a means of assessment.
 - B. The Individual Improvement Plan shall be developed cooperatively by the teacher/specialist and the appraiser. If the plan cannot be cooperatively developed, the appraiser shall have the authority and responsibility to determine the plan including all components as stated in #2 above.
 - C. The teacher/specialist shall be held accountable for the implementation of the Individual Improvement Plan.
6. Appraisers and teachers/specialists shall sign all appraisal instruments indicating that the instruments have been reviewed and discussed. A teacher/specialist may submit additional information following the procedures outlined in Supplement 4, Section D.

PERFORMANCE APPRAISAL

Teacher _____ Dates of Observations _____

Subject Area _____ Grade _____

Appraiser(s) _____

I. INSTRUCTIONAL PLANNING

Exemplary ☐ Effective ☐ Needs Improvement ☐ Unsatisfactory ☐

NARRATIVE:

II. ORGANIZATION AND MANAGEMENT OF CLASSROOM

Exemplary ☐ Effective ☐ Needs Improvement ☐ Unsatisfactory ☐

NARRATIVE:

III. INSTRUCTIONAL STRATEGIES

Exemplary ☐

Effective ☐

Needs Improvement ☐

Unsatisfactory ☐

NARRATIVE:

IV. TEACHER/STUDENT INTERACTION

Exemplary ☐

Effective ☐

Needs Improvement ☐

Unsatisfactory ☐

NARRATIVE:

V. EVALUATION OF STUDENT PERFORMANCE

Appendix C continued

Exemplary ☐ Effective ☐ Needs Improvement ☐ Unsatisfactory ☐

NARRATIVE:

VI. RELATED RESPONSIBILITIES

Exemplary ☐ Effective ☐ Needs Improvement ☐ Unsatisfactory ☐

NARRATIVE:

B-0416

120

COMMENDATIONS/RECOMMENDED AREAS FOR GROWTH/COMMENTS:

The teacher and appraiser shall sign the Performance Appraisal to indicate that it has been reviewed and discussed, not that the teacher necessarily agrees with the Performance Appraisal. Further, the teacher may submit additional information on a TEACHER/SPECIALIST APPRAISAL RESPONSE FORM, within fifteen (15) working days of the date of the teacher's signature on this Performance Appraisal. Place an (x) in the box below to indicate your desire to submit additional information and to receive a Teacher/Specialist Appraisal Response Form. The Teacher/Specialist Appraisal Response Form shall be appended to this Performance Appraisal and shall become part of the appraisal record.

Teacher's Signature/Date

Appraiser's Signature/Date

☐

Additional information will be submitted by the teacher within fifteen (15) working days on a Teacher/Specialist Appraisal Response Form.

PERFORMANCE APPRAISAL

Specialist _____ Dates of Observations _____

Specialist Area _____

Appraiser(s) _____

I. PLANNING/PREPARATION

Exemplary ☐ Effective ☐ Needs Improvement ☐ Unsatisfactory ☐

NARRATIVE:

II. ORGANIZATION AND MANAGEMENT

Exemplary ☐ Effective ☐ Needs Improvement ☐ Unsatisfactory ☐

NARRATIVE:

III. STRATEGIES AND TECHNIQUES

Exemplary ☐

Effective ☐

Needs Improvement ☐

Unsatisfactory ☐

NARRATIVE:

IV. SPECIALIST/STUDENT/STAFF INTERACTION

Exemplary ☐

Effective ☐

Needs Improvement ☐

Unsatisfactory ☐

NARRATIVE:

B-0419

Appendix C continued

V. MONITORING/EVALUATING PERFORMANCE

Exemplary ☐ Effective ☐ Needs Improvement ☐ Unsatisfactory ☐

NARRATIVE:

VI. RELATED RESPONSIBILITIES

Exemplary ☐ Effective ☐ Needs Improvement ☐ Unsatisfactory ☐

NARRATIVE:

B-0420

174

COMMENDATIONS/RECOMMENDED AREAS FOR GROWTH/COMMENTS:

The specialist and appraiser shall sign the Performance Appraisal to indicate that it has been reviewed and discussed, not that the specialist necessarily agrees with the appraisal. Further, the specialist may submit additional information on a TEACHER/SPECIALIST APPRAISAL RESPONSE FORM, within fifteen (15) working days of the specialist's signature on this Performance Appraisal. Place an (x) in the box below to indicate your desire to submit additional information and to receive a Teacher/Specialist Appraisal Response Form. The Teacher/Specialist Appraisal Response Form shall be appended to this Performance Appraisal and shall become part of the appraisal record.

Specialist's Signature/Date

Appraiser's Signature/Date

☐

Additional information will be submitted by the specialist within fifteen (15) working days on a Teacher/Specialist Appraisal Response Form.

Appendix C continued**INDIVIDUAL IMPROVEMENT PLAN**

NAME _____

DIRECTIONS: This Individual Improvement Plan shall be developed when an individual's performance in any category(s) has been appraised as Needs Improvement or Unsatisfactory or if a Lesson/Job Analysis is identified with the statement "Performance is Unsatisfactory". Selected category(s) of improvement shall be checked below. Areas of growth shall address, but not be limited to the appropriate behaviors associated with any category. The plan shall be cooperatively developed by the teacher/specialist and appraiser. If the plan cannot be cooperatively developed, the appraiser shall have the authority and responsibility to determine the plan. The teacher/specialist shall be held accountable for the implementation of the Individual Improvement Plan.

CATEGORY OF IMPROVEMENT:

- | | |
|------------|--|
| I. _____ | INSTRUCTIONAL PLANNING |
| II. _____ | ORGANIZATION/MANAGEMENT |
| III. _____ | INSTRUCTIONAL STRATEGIES |
| IV. _____ | TEACHER/STUDENT INTERACTION |
| V. _____ | EVALUATION OF STUDENT PERFORMANCE |
| VI. _____ | RELATED RESPONSIBILITIES |

I. RECOMMENDED AREAS FOR GROWTH**II. ACTIVITIES**

III. RESOURCES (HUMAN/MATERIAL)

IV. TIMELINES

V. ASSESSMENT

Teacher/Specialist's Signature _____ Date _____

Appraiser's Signature _____ Date _____

B-0423

**SUPPLEMENT 4
SECTION D**

**PROCEDURES FOR
TEACHERS/SPECIALISTS APPRAISAL RESPONSE***

The purpose of the Delaware Performance Appraisal System is to define a positive, constructive process whereby professional staff can continually grow and develop within their respective teaching/specialist fields.

It is acknowledged, however, that disagreements may arise regarding the implementation of the policy for appraising teachers/specialists. It is preferable to resolve these differences within the post conference framework whenever possible. If these differences cannot be resolved at that level, the following process is available.

A teacher/specialist may submit additional information specific to the point of disagreement, using the Teacher/Specialist Appraisal Response Form, within fifteen (15) working days of the individual's signature on an appraisal form. Such written response shall become part of the appraisal record and shall be attached to the appraisal form. The process for submitting additional information is as follows:

1. Upon signing a Lesson/Job Analysis or Performance Appraisal to indicate that it has been reviewed and discussed, the teacher/specialist shall place a check mark (x) in the box indicating the individual's desire to submit additional information.
2. The administrator(s) shall then give the teacher/specialist a **TEACHER/SPECIALIST APPRAISAL RESPONSE FORM** which shall be completed by the teacher/specialist.
3. The teacher/specialist shall complete the Teacher/Specialist Appraisal Response Form within fifteen (15) working days. Once completed, it shall be forwarded to the appraiser and to the supervisor of the appraiser for their review and signatures. One copy containing all signatures shall be returned to the teacher/specialist, while another copy shall be attached to the appropriate Lesson/Job Analysis or Performance Appraisal as part of the appraisal record.

In the event that an individual's employment status may be in jeopardy due to the outcome of the appraisal process, procedures for ensuring that due process is afforded to teachers/specialists are described in Chapter 14 of Title 14 Delaware Code.

*OPTIONAL FOR TEACHER/SPECIALIST
rev. 8/16/90

B-0424

DELAWARE PERFORMANCE APPRAISAL SYSTEM TEACHER/SPECIALIST APPRAISAL RESPONSE FORM

Teacher/Specialist Name _____

Date of Observation _____ Date of LJA/PA _____

This form shall be completed by the teacher/specialist within fifteen (15) working days of the date they signed a Lesson/Job Analysis or Performance Appraisal and indicated a desire to submit additional information. Once completed, it shall be forwarded to the appraiser and to the supervisor of the appraiser for their review and signatures. One copy containing all signatures shall be returned to the teacher/specialist, while another copy shall be attached to the appropriate Lesson/Job Analysis or Performance Appraisal as part of the appraisal record.

Teacher/Specialist's Signature

Date

Appraiser's Signature

Date

Supervisor of the Appraiser's Signature

Date

DOC. NO. 95-01/90/08/01

**SUPPLEMENT 4
SECTION E
DEFINITION OF TERMS**

The following terms have been defined to facilitate the understanding and administration for the appraisal of teachers/specialists.

Announced Observation--Announced visit by the appraiser to the classroom/worksites to observe a lesson or specialist work from beginning to end; must be preceded by a pre-observation report/conference.

Appraisal Cycle--An interval of time, maximum of two years, in which the performance of the teacher/specialist is appraised.

Appraisal Process--A series of events which result in the appraisal of the teacher/specialist. The appraisal process shall consist of a formative phase and a summative phase.

Appraiser--The person responsible for appraising the performance of the teacher/specialist; a person who is certified by the State of Delaware to evaluate teachers and specialists and designated by the local district superintendent.

Data Collection--The segment of the formative phase in which supportive documentation is compiled for the purpose of assessing performance and providing feedback.

Formative Conference--Conference in which the appraiser describes the data collected, provides feedback, discusses objectives, and provides assistance.

Formative Phase--The phase of the appraisal process which provides for continuous feedback and data collection.

Other Data--Information or data gathered and previously shared in writing with the teacher/specialist. Data collected from solicited or unsolicited sources shall reflect a pattern or be corroborated before inferences are made.

Performance Appraisal--The segment of the Appraisal Cycle in which the supervisor assesses the performance of the teacher/specialist as it relates to each of the criterion.

Performance Appraisal Phase--The phase of the appraisal process which provides for appraisal conclusions to be drawn based on data gathered in the formative phase.

Pre-Observation Conference--Conference between appraiser and teacher/specialist to establish ground rules, provide situational information and discuss lesson objectives or job responsibilities prior to beginning an announced observation.

Tenured Teachers/Specialists--Certificated professional employees who have completed three (3) years of service in the State two (2) years of which shall have been in the employ of the same board.

Specialist—A certificated employee whose primary responsibility is not that of classroom teacher, such as a nurse, guidance counselor, educational diagnostian, or librarian.

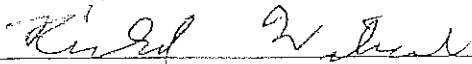
Unannounced Observation—Unannounced visit by the appraiser to the classroom/worksite for the purpose of observing performance; must be of sufficient length to gather appropriate data, analyze and assess performance.

MEMO

To: Richard Wilcoxon
From: Janet Basara
Date: May 11, 2004
RE: Lesson Plans

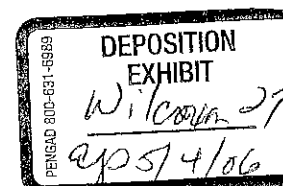
At our post-observation conference on April 26, 2004, I asked to see your plan book. At that time you indicated that you did not have it because you had left it at home. On May 5, 2004, I asked to see it for a second time. You copied four pages and put it in my mailbox on May 6, 2004. To this date, I have not seen your lesson plan book.

My concern is that the pages that you gave me were lessons that Frank Rumford wrote more than two years ago. He shared these with you to guide and assist you as a new teacher. You have only inserted the standards on some of his lessons. It is unacceptable that after two years of teaching health and physical education at Skyline, you have not developed, adapted, adjusted, or improved upon lessons handed to you as a guide.


Signature indicates receipt of memo, not necessarily agreement with the contents.


Date

B-0428





RED CLAY CONSOLIDATED
SCHOOL DISTRICT

Robert J. Andrzejewski, Ed.D.
Chief Executive Officer

Administrative Offices
2916 Duncan Road
Wilmington, DE 19808

SKYLINE
MIDDLE SCHOOL
2900 Skyline Drive
Wilmington, Delaware 19808

(302) 454-3410
Fax (302) 454-3541

Nick T. Manolagos, Ed.D.
Principal

Janet Basara
Assistant Principal

To: Rich Wilcox

From: Janet Basara

Date: January 20, 2004

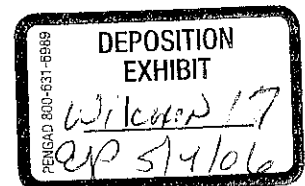
RE: Bus sign up

In order to have enough busses to accommodate all of the after school students, it is critical that you sign up each day you keep students after school for activities. You have forgotten several times. I am requesting that you to make signing up for busses a regular part of your daily routine for the safety of the students who need to ride the busses home.

B-0429

Rich Wilcox
Signature acknowledges receipt, not necessarily agreement

1/22/04
Date



C00169

Certified Mail

Richard Wilcoxon
220 Wharton Drive
Newark, DE 19711

Dr. Robert Andrzejewski, Superintendent
Red Clay Consolidated School District
2916 Duncan Road
Wilmington, DE 19808-2319

RECEIVED
JUN 10 2004
SUPERINTENDENT'S OFFICE
RCCSD

June 8, 2004

Dear Dr. Andrzejewski:

I have received the reasons for my termination. Pursuant to Title 14, Chapter 14 of the Delaware Code, I am requesting a meeting with you to discuss these reasons.

I authorize DSEA as my official representative.

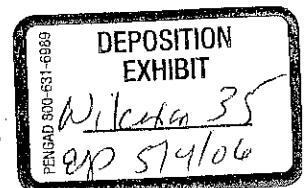
Sincerely,

Richard Wilcoxon

Richard Wilcoxon

B-0430

C00289



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RICHARD WILCOXON,

Plaintiff,

v.

RED CLAY CONSOLIDATED
SCHOOL DISTRICT BOARD OF
EDUCATION, and JANAY FREEBERRY,

Defendants.

C.A. No.05-524 (SLR)

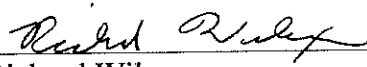
JURY TRIAL DEMANDED

AFFIDAVIT OF RICHARD WILCOXON

I, Richard Wilcoxon, being duly sworn according to law, hereby depose and say as follows:

1. I am the Plaintiff in the above-captioned matter.
2. I have never been placed on, or given an Individualized Improvement Plan for poor job performance or for any other reason.
3. In particular, during the 2003-2004 school year I was not placed on, or given, an Individualized Improvement Plan for poor job performance or for any other reason.
4. Janet Basara conducted four disciplinary meetings with me during the 2003-2004 school year: December 17, 2003, January 22, 2004, May 5, 2004 and May 11, 2004. For the December 17, 2003 meeting, I was not permitted to have an Association representative of my choice present to advise and to represent me during the meeting, I was not given forty-eight hours written notice of the meeting, I was not informed in writing or otherwise of the specific reasons for the meeting, and I was not informed in writing or otherwise of the individuals who would be in

attendance at the meeting. For the January 22, 2004, May 5, 2004 and May 11, 2004 meetings, I was not permitted to have an Association representative of my choice present to advise and to represent me during the meetings, I was not given forty-eight hours written or oral notice of the meetings, I was not informed in writing or otherwise of the specific reasons for the meetings, and I was not informed in writing or otherwise of the individuals who would be in attendance at the meetings.


Richard Wilcoxon

SWORN TO AND SUBSCRIBED before
this 13TH day of July, 2006

